

10/538530

JCS6 Rec'd PGT 10 JUN 2005

Rev 9/04

PATENT

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : RALF RESKI ET AL.
Application No. :
Filed : Herewith
Confirmation No. :
For : FtsZ-POLYPEPTIDES AS A TARGET FOR HERBICIDAL
COMPOUNDS
Examiner :
Attorney's Docket : MBP-017XX

TC Art Unit:

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450 on _____.

By: _____
Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the
enclosed references listed on the attached copy of PTO Form #1449. The
paragraph(s) marked below are applicable to this Information Disclosure
Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
Information Disclosure Statement is being filed within three
months of the filing date of the above identified national
application or within three months of the date of entry of the
national stage as set forth in 37 C.F.R. § 1.491 of the above
identified application. Accordingly, applicant(s) believes that
no fee or statement under 37 C.F.R. § 1.97(e) is required.

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- ☐ (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- ☐ a statement under 37 CFR § 1.97(e); or
 - ☐ the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- ☐ (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- ☐ (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- ☐ (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. §

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1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

These references were cited in an International Search Report (copy enclosed) which issued in International Application No. PCT/EP2003/014162 filed December 12, 2003.

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The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

RALF RESKI, ET AL.

By: 

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Enclosure

Date June 10, 2005

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| (REV. 05/03) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i> | | ATTY. DOCKET NO. | | APPLICATION NO. | | | |
| | | MBP-017XX | | 10/538530 | | | |
| | | APPLICANT: Ralf Reski, et al. | | | | | |
| | | FILING DATE | | TC ART UNIT | | | |
| | | Herewith | | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | PUBLICATION/ ISSUE DATE | NAME | CLASS | SUBCLASS | FILING DATE |
| | | US | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
| | | | | | | | |
| OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | |
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| | | McAndrew, Rosemary S., et al.: "Colocalization of plastid division proteins in the chloroplast stroma compartment establishes a new functional relationship between FtsZ1 and FtsZ2 in higher plants," PLANT PHYSIOLOGY (ROCKVILLE), vol. 127, no. 4, December 2001 (2001-12), pages 1656-1666. | | | | | |
| | | Osteryoung, Katherine W., et al: "The plastid division machine," ANNUAL REVIEW OF PLANT PHYSIOLOGY AND PLANT MOLECULAR BIOLOGY, 2001, vol. 52, pages 315-333. Annual Reviews {a}, 4139 El Camino Way, Palo Alto, CA 94303-0139, USA Series: Annual Review of Plant Physiology and Plant Molecular Biology. | | | | | |
| | | Rensing, Stefan, A., et al: "Diversification of ftsZ during early land plant evolution," JOURNAL OF MOLECULAR EVOLUTION, vol. 58, no. 2, February 2004 (2004-02), pages 154-162. | | | | | |
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| EXAMINER | | | | DATE CONSIDERED | | | |
| *EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |

CLG/mc/320147-1

REFERENCES FURNISHED BY INTERNATIONAL BUREAU